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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JOSE ALFREDO GARCIA-SUAREZ,)
)
Defendant.)
_____)

No. CR 13-0423 RS

**STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

The parties in this case appeared before the Court on July 23, 2013, for a status conference. At that time, the parties represented to the Court that granting exclusion of time under the Speedy Trial Act would be appropriate. The government anticipates turning over additional discovery in this matter, as requested by defense counsel. As a result, defense counsel represented that additional time will be required to review the discovery disclosed by the government.

The parties requested the Court to set the matter out to provide adequate time to obtain and review new discovery, and agreed that granting exclusion of time under the Speedy Trial Act would allow the reasonable time necessary for effective preparation of counsel. *See* 18 U.S.C.

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§ 3161(h)(7)(B)(iv). The parties further agreed that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). At the hearing, the Court made findings consistent with this agreement, and set the matter to August 13, 2013.

SO STIPULATED:

MELINDA HAAG
United States Attorney

DATED: July 23, 2013

_____/s/_____
JANAKI GANDHI
Special Assistant United States Attorney

DATED: July 23, 2013

_____/s/_____
JODI LINKER
Attorney for Defendant Jose Alfredo Garcia-Suarez

~~PROPOSED~~ ORDER

For the reasons stated above and at the July 23, 2013, hearing, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from July 23, 2013, to August 13, 2013, is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Denying the requested exclusion of time would deprive the parties of the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: 7/24/13



THE HONORABLE RICHARD SEEBORG
United States District Judge